



**Advisory Committee to the Director and the South Carolina Building Codes
Council, Loss Mitigation Grant Program and
South Carolina Comprehensive Hurricane Mitigation Program**

**SC SAFE HOME GRANT PROGRAM
Program Guidelines**

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SECTION 1 NAME/PURPOSE

The South Carolina Hurricane Damage Mitigation Program created under Section 38-75-485 of the South Carolina Code of Laws, as amended, shall be known as the SC Safe Home Mitigation Grant Program (hereinafter the "Program"). The Program was created pursuant to The Omnibus Coastal Property Insurance Reform Act of 2007 (hereinafter the "Act"). The Act outlines various incentives which are implemented by the South Carolina Department of Insurance (hereinafter the "Department").

The purpose of the Program is to develop and implement a comprehensive and coordinated approach for proactive hurricane damage mitigation. The approach will include the implementation of a grant program that provides matching and nonmatching funds to applicants wanting to strengthen and mitigate potential damage to their homes making them less vulnerable to hurricane damage.

The Advisory Committee is created under SC Code of Laws Section 38-75-470 and is appointed by the Director of the Department of Insurance (hereinafter the "Director"). Its purpose is to study issues associated with the development of strategies for reducing loss of life and to address the mitigation of property losses due to hurricane, earthquakes, flood and fire. All members of the Advisory Committee, the South Carolina Building Codes Council, Loss Mitigation Grant Program and the South Carolina Comprehensive Hurricane Damage Mitigation Program are appointed by the Director and are outlined pursuant to SC Code of Laws §§1-23-10 *et. seq.*, 38-3-110 and 38-75-485. The Advisory Committee conducts business as outlined in the Advisory Committee Bylaws. The Program Administrator and staff are designated by the Director. The Advisory Committee shall consider the associated costs to individual property owners and shall assist the Director in implementing the following two programs:

1. Loss Mitigation Grant Program

Loss Mitigation Grants are available to local governments for the following purposes:

- a. Mitigating losses for eligible residential properties within the local jurisdiction in accordance with the guidelines established by the Director or his designee;
- b. Matching Fund Grants may also be made available to local governments and nonprofit entities for projects that reduce hurricane damage to single-family, site-built or manufactured or modular owner-occupied, residential property;
- c. The Program may provide technical assistance to and act as an information resource for local governments in the development of proactive hazard mitigation strategies as they relate to reducing the loss of life and mitigating property losses due to natural hazards including hurricane, flood, earthquake and fire.

The Department of Insurance may apply for, enter into contracts, and accept grants in aid from federal and state government and private sources for the purposes of:

- a. Mitigating losses for eligible residential properties in accordance with guidelines established by the Director;
- b. Conducting loss mitigation studies for the development of strategies or measures aimed at reducing loss of life and mitigating property losses due to hurricane, flood, earthquake and fire; or
- c. Any other purposes consistent with this article.

2. South Carolina Damage Mitigation Program (S.C. Safe Home)

The South Carolina Safe Home program, administered by the South Carolina Department of Insurance, provides grant money to individual homeowners in order to

make their homes less vulnerable to hurricane damage. This Program may award matching or nonmatching grants based upon the availability of funds. The Program Administrator also may apply for financial grants to assist single-family, site-built or manufactured or modular, owner-occupied, residential property owners to retrofit their primary legal residence to make them less vulnerable to hurricane damage.

The Program awards matching or nonmatching grants up to five thousand dollars (\$5,000.00) based upon the availability of funds. To be eligible for a matching grant, a residential property must:

- (i) be the applicant's primary legal residence;
- (ii) be actually owned and occupied by the applicant;
- (iii) be the owner's legal residence as described in SC Code of Laws § 12-43-20(c);
- (iv) be a single-family site-built manufactured, or modular owner-occupied residential property;
- (v) be a residential property covered by a current homeowners or dwelling insurance policy that:
 - (a) has insurance coverage issued by an insurer licensed in South Carolina or a surplus lines insurer, where the policy is lawfully placed by a broker authorized to do business in this State; and
 - (b) provides insurance coverage of the residential property equal to or greater than the fair market value of the residential property as defined in SC Code of Laws § 12-37-3135(a)(2) and reflected in the county records; and
- (vi) have undergone an acceptable wind certification and hurricane mitigation inspection in accordance with program requirements.

All matching grants must be matched on a dollar-for-dollar basis for a total of ten thousand dollars (\$10,000.00) for the mitigation project. No grant issued for the program for any mitigation project for a residential property may exceed five thousand dollars (\$5,000.00).

Nonmatching grant applicants may be eligible for a grant and may not be required to provide a matching amount to receive the grant. These nonmatching grant award amounts will be determined based on the cost of the mitigation project and a percentage of the total adjusted household income of the applicant according to the most recent federal income tax return. Applicants for nonmatching grants must have a total annual adjusted gross household income which does not exceed eighty percent (80%) of the median annual adjusted gross household income for the county where the property in question is located or the state average. Applicants with a higher total annual adjusted household income may be awarded a lower amount.

The Safe Home Mitigation Program is to serve as an educational resource and the Department will provide educational materials and provide outreach opportunities for consumers to learn about the importance of preparation and mitigation efforts to protect their property and family against natural disasters. Multimedia public education, awareness and advertising efforts designed to specifically address mitigation techniques must be employed, as well as support for ongoing consumer resources and referral services.

The Department shall use its best efforts to obtain grants or funds from the federal government to supplement the financial resources of the program. In addition to state appropriations, if any, this program must be implemented by the Department through the use of premium taxes due to this State by the South Carolina Wind and Hail Underwriting Association and one percent (1%) of the premium taxes collected annually and remitted to implement the provisions of this statute.

SECTION 2- APPLICANT QUALIFICATIONS

Applicants may only be awarded and receive no more than one SC Safe Home grant for recommended improvements per structure.

All applications must include the following in order to be processed and considered for a SC Safe Home grant:

- (i) Meet the general definition of a single-family residence as outlined in SC Code § 27-40-210(14):
 - “single-family residence” means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it is a single-family residence if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit;
- (ii) Have a current wind certification and hurricane mitigation inspection report completed by a participating SC Safe Home Inspector;
- (iii) The homeowner/applicant must be a resident of South Carolina and must produce the most recent tax information that verifies the applicant is receiving the 4% primary residency tax assessment;
- (iv) Proof of income in the form of a Form 1040, 1040EZ or 1040A U.S. Individual Income Tax Return;
- (v) Proof of homeowner’s insurance (declarations page from policy);
- (vi) Flood Elevation Certificate, if applicable; and
- (vii) Recent photographs of the structure.

Grant Allocation Methodology

Type of Grant Awarded	Percentage of County Median Household Income	Maximum Grant Award
Matching	80% and above	\$4,000
Nonmatching	Below 80%	\$5,000

Applications will be accepted on a first-come, first-served basis. The amount of grant allocations may be adjusted from time to time as deemed appropriate by the Director of the South Carolina Department of Insurance.

SECTION 3 – ELIGIBLE IMPROVEMENTS

Grants may be used for retrofits for the following improvements as outlined in SC Code of Laws § 38-75-485(C)(1)(e):

- Roof deck attachment;
- Secondary water barrier;
- Roof covering;
- Gable-end bracing;
- Reinforcement of roof to wall connections;
- Protection of windows and exterior doors, including garage doors. SC Safe Home is a code-plus program, therefore no plywood/OSB shutters including those that comply with local building code requirements are acceptable under the program. SC Safe Home opening protection retrofit projects require that all openings be protected;
- Installation, replacement or adjustment of tie-downs;
- Inspection and repair or replacement of manufactured home piers, anchors and tie-down/anchoring systems limited to \$500 for a single-wide unit, \$700 for a double-wide unit and \$900 for a triple-wide unit installation. A certificate of occupancy from the local building code department must be provided showing that anchors and tie-downs were originally installed on the home prior to it being occupied;
- Strengthening of weakened trusses, studs and other structural components; and
- Any other mitigation techniques approved by the advisory committee.

All improvements listed above must be installed per specific requirements outlined in the *SC Safe Home Contractor's Manual*.

The details of the mitigation techniques necessary to qualify for the grants or public assistance have been outlined in the *SC Safe Home Mitigation Techniques Resource Guide and Contractors and Inspectors Manuals*; *The Institute for Business and Home Safety (IBHS) Improvements for Existing Homes*; the *Federal Alliance for Safe Homes (FLASH) Blueprint for Safety* and other retrofit techniques as approved by the Director of the South Carolina Department of Insurance.

SECTION 4- PROCESSES

The Program must create a process in which Certified Contractors agree to participate and seek reimbursement from the State and homeowners for completed projects. Mitigation projects are subject to random re-inspections.

NOTE: A step-by-step process will be included following the development of the online process.

Certified Contractors are not required to bid on any jobs associated with this program. However, when the Certified Contractor does submit a bid, that individual shall first obtain and review the Wind Inspection Report from the homeowner. The Certified Contractor shall not charge the homeowner for the bid proposal.

A homeowner may appeal, in writing, a decision made by the SC Safe Home Advisory Committee regarding the approval or denial of grant funds. The Advisory Committee will review the appeal once and make a final determination. The homeowner will be notified of the Advisory Committee's decision in writing. The Advisory Committee will complete the review and determination of the appeal within sixty (60) days of the receipt of the homeowner's appeal.

Once a homeowner receives an award letter from the Department's SC Safe Home Program, the homeowner shall then (1) select the SC Safe Home Certified Contractor of their choice based upon the estimates they received and provided during the application process, and (2) enter into a signed agreement with the Contractor for the retrofits outlined in the award letter. The homeowner and contractor are required to submit the signed agreement to the Program prior to the implementation of any work that will utilize grant funds. Recommended improvements must be completed within three (3) months from the date of the grant award notification letter. Grant extensions will be reviewed and taken under consideration by the staff. The Advisory Committee has determined that one three (3) month grant extension will be allowed per grant application only if it is determined that the circumstances warrant such an extension. It is the responsibility of the homeowner and the contractor working with the project to notify/request in writing a request for an extension.

Guidance regarding changes in contractors, scope of work, product usage or any other qualifying component of the project must be submitted to SC Safe Home staff and all changes must be approved prior to the implementation of any work as outlined in SC Safe Home January 2009 Bulletin (*See Appendix*).

Upon the completion of all retrofit work conducted under the Program, the homeowner will work with the participating contractor to complete the Contractor Reimbursement Request Form and submit it to the Department. The Department requires that the participating contractor submit along with the Reimbursement Request Form, a thorough set of photographs showing the progress and completion of the project as well as an inspection report completed by the local building code enforcement office. The

Department will review the Reimbursement Request Form and upon approval, a grant payment will be made to the participating contractor. The Department reserves the right to conduct inspections of the work prior to making payment of grant money and will not make payment for work that does not meet applicable standards. The Department will make only one payment of grant funds per grant and only upon completion of ALL work. No additional or partial payments will be made. Specific information for SC Safe Home participating contractors regarding Reimbursement Request Guidelines is outlined in SC Safe Home Bulletin October 12, 2009 (*See Appendix*). All inspections must be completed by qualified SC Safe Home Inspectors and all inspections must be capped at \$150.00 per home. The completed report will include retrofit recommendations based upon the status of the property, such as the age and present state of the roofing system followed by the age and status of the window protection system if one exists.

SECTION 5 CONTRACTOR AND INSPECTOR CERTIFICATIONS

All contractors and inspectors working with SC Safe Home will comply with the guidelines and requirements outlined in 9 S.C. Code Ann. Regs. 69-76 (2012) which is included in this document under the Appendix.

Additionally, participating wind inspectors and contractors will comply with the following requirements:

- Participating wind inspectors and contractors are not guaranteed work under the SC Safe Home program.
- Wind inspectors and contractors participating in the SC Safe Home program are not in any way released or exempt from the prescribed limitations of work they may contract or perform under their license(s) or registration, whichever is applicable. SC Safe Home Contractors agree to contract and perform only such work in the Program as is properly outlined within the scope of their license or registration. If a SC Safe Home Certified Contractor subcontracts any retrofit work for projects approved by the Program, the work may only be subcontracted to another contractor licensed or registered through the SC Department of Labor Licensing and Regulation. The participating contractor subcontracting the work is responsible for ensuring that Program rules and guidelines, to include the information outlined in the SC Safe Home Contractors Course, are strictly followed. Failure to comply with these guidelines will result in nonpayment and/or removal from the program. Participating contractors are fully aware that all work performed under the SC Safe Home program is subject to local building code enforcement requirements. Participating contractors will, upon request of the SC Safe Home Program, cooperate and assist program staff in assuring all work completed and all products and materials used or installed meet or exceed all applicable building codes.
- Participating wind inspectors and contractors will comply with all applicable workers' compensation insurance laws and rules.

ARTICLE VI - POWERS OF THE PROGRAM

As outlined in the Omnibus Coastal Property Insurance Reform Act of 2007, the Advisory Committee, established pursuant to SC Code of Laws § 38-75-470, shall provide advice and assistance to the Program Administrator with regard to the administration and implementation of the program.

The Program shall have the general powers and authority granted under the laws of South Carolina necessary to conduct the activities as outlined in the Omnibus Coastal Property Insurance Reform Act of 2007 and in addition thereto, the specific authority to:

- Enter into contracts as are necessary or proper to carry out the provisions and the purposes of the Act;
- Take such legal actions necessary to avoid the payment of improper, incorrect or fraudulent work outlined under the Program;
- Establish rules, conditions and procedures pertaining to the implementation of the Program to include the processes and procedures of the Program. The Advisory Committee may also establish administrative rules of practice for the Program consistent with the Act and this set of guidelines; and
- Appoint from among members, appropriate subcommittees as necessary to provide technical assistance and advice in the operation of the Program and any other function within the authority of the Program.

Additionally, the Director of the South Carolina Department of Insurance or his designee shall, if necessary, call an emergency meeting of the Advisory Committee. These meetings may be conducted via conference call or in person and must include a majority of the voting membership in attendance.

ARTICLE VII – ANNUAL MEETING OF THE ADVISORY COMMITTEE

A mandatory annual meeting of the Advisory Committee that shall include the participating wind inspectors and contractors shall be held at the offices of the South Carolina Department of Insurance or at a designated location and date, as voted on by the Advisory Committee. Notice will be provided to all Advisory Committee members at least thirty (30) calendar days prior to the meeting date.

ARTICLE VIII – SUBCOMMITTEES

The Director or his designee may appoint members and/or other qualified individuals to any subcommittee set forth or otherwise deemed necessary for the implementation of the Program. A written record of the proceedings of each committee shall be maintained. Program staff will assist in the recording of all meeting minutes.

ARTICLE XI – TERMINATION

The Program shall continue in existence, subject to termination, in accordance with applicable requirements of the laws of the State of South Carolina and those provisions set forth in the Act.

APPENDIX

SC Safe Home Program Wind Inspectors and Contractors.

9 S.C. Code Ann. Regs. 69-76 (2012)

Section I. Purpose and Scope

The purpose of this regulation is to specify requirements and qualifications for wind inspectors and contractors participating in the SC Safe Home Program.

Section II. Wind Inspectors

A. In order to obtain certification from the Department of Insurance as a wind inspector for the SC Safe Home Program, an individual must:

- (1) submit an application on a form approved by the Department;
- (2) take the Federal Alliance for Safe Homes (FLASH) Blueprint for Safety Course, or other similar course approved by the Department, and pass the inspector's examination with a grade of 90% or higher; and
- (3) have a demonstrated working knowledge of residential building practices through:
 - (a) being actively licensed by and in good standing with the South Carolina Labor Licensing and Regulation Division as a general contractor or residential builder; or
 - (b) if not required to be licensed, documentation of five years'

experience working in the residential construction industry.

B. Certified wind inspectors must attend an annual meeting of wind inspectors or other program of continuing education at a date, time and location set by the SC Safe Home Advisory Committee.

Section III. Contractors

A. In order to obtain certification from the Department of Insurance as a contractor for the SC Safe Home Program, an individual must:

- (1) submit an application on a form approved by the Department;
- (2) be actively licensed and in good standing through the offices of the South Carolina Labor Licensing and Regulation Division as a general contractor or residential builder; and
- (3) take the Federal Alliance for Safe Homes (FLASH) Blueprint for Safety Course, or other similar course approved by the Department, and pass the contractor's examination with a grade of 90% or higher.

B. Certified contractors must attend an annual meeting of contractors or other program of continuing education at a date, time and location set by the SC Safe Home Advisory Committee.

Section IV. Citizenship Requirements for Wind Inspectors and Contractors

Only natural persons may be certified as wind inspectors and contractors to work with the SC Safe Home Program. The applicant shall be a citizen of the United States or provide documentation that the applicant is a properly registered alien residing in the United States.

Section V. Absence of Criminal Record

In determining whether an individual is eligible to be certified as a wind inspector or contractor to work with the SC Safe Home Program, the director or his designee must, among other things, consider whether the individual has been convicted of, or pleaded guilty or nolo contendere to, a crime involving moral turpitude. To satisfy the director or his designee that an individual is trustworthy and has not been convicted of a crime involving moral turpitude, the individual applicant must, as part of their application, obtain from the South Carolina State Law Enforcement Division (SLED) a copy of the applicant's criminal history record. Such copy of the applicant's criminal history record must be filed with the Department along with the applicant's application for certification.

Section VI. Requirements Relating to Probation, Withdrawal or Suspension of a Certification, Refusal to Issue a Certification and Reissuance of a Certification

A. Recommendations of the SC Safe Home Advisory Committee

(1) The SC Safe Home Advisory Committee may, upon a majority vote, recommend to the Department probation, withdrawal, or suspension of the certification of any wind inspector or contractor. Such recommendation must be submitted to the director or his designee in writing, specifying the recommended action to be taken and the findings of the Advisory Committee in reaching the recommendation. Recommendations for probation must specify a length of time, not to exceed one year, for which the Advisory Committee recommends the probation. The Advisory Committee may, among other things, consider misconduct or any fraudulent or deceitful action or inaction by the certified wind inspector or certified contractor in the performance of his or her duties as a certified wind inspector or certified contractor.

(2) A person who alleges incompetence, misconduct, fraud, or deceit against a certified wind inspector or certified contractor must submit such allegations in writing to the Department. Upon receipt, the Department may provide a copy of the written allegation to the Advisory Committee and request that the Advisory Committee review the allegation and submit a recommendation pursuant to item (1) of this subsection.

B. Procedure for probation, withdrawal, or suspension of a certification or refusal to issue a certification

(1)(a) The director or his designee may place on probation, withdraw, or suspend a wind inspector's or contractor's certification after ten days' notice or refuse to issue a certification when it appears that a wind inspector or contractor or applicant for certification has been convicted of a crime involving moral turpitude, has violated this regulation, or has willfully deceived or dealt unjustly with the citizens of this State.

(b) The words "deceived or dealt unjustly with the citizens of this State" include, but are not limited to, action or inaction by the wind inspector or contractor as follows:

(i) providing incorrect, misleading, incomplete, or materially untrue information in the application for certification;

(ii) obtaining or attempting to obtain a certification through misrepresentation or fraud;

(iii) improperly withholding, misappropriating, or converting any monies or properties received in the course of doing business as a certified wind inspector or certified contractor;

(iv) having been convicted of a felony;

(v) using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere;

(vi) forging another's name to an application for a SC Safe Home grant application or to any document related to the SC Safe Home Program; and

(vii) improperly using notes or any other reference material to complete an examination relating to certification as a wind inspector or contractor.

(2) The director or his designee must also consider whether the individual has had a license or its equivalent, to operate as a general contractor or residential builder denied, suspended, or revoked in this state or another state, province, district, or territory.

C.(1) If upon investigation the director or his designee finds that a wind inspector or contractor has obtained a certification by fraud or misrepresentation, he may suspend immediately the certification. The director or his designee, in an order suspending a certification shall specify the period during which the suspension is to be in effect. The period may not exceed one year.

(2) In addition to or in lieu of any applicable denial, probation, suspension, or revocation of a certification a person violating this regulation may, after a hearing, be subject to an administrative penalty according to Section 38-2-10.

D. Procedures relating to the reissuance of a withdrawn certification or issuance of a certification to an applicant who has been refused a certification.

(1)(a) A contractor or wind inspector whose certification is withdrawn or an applicant who has been refused a certification by the director or his designee may not reapply for certification until a six-month period of time has lapsed from the effective date of the withdrawal or refusal or, if judicial review before the Administrative Law Court of the withdrawal or refusal is sought, after six months from the date of a final court order or decree affirming the withdrawal or refusal.

(b) In the case of the director or his designee's refusal to issue a certification on an application submitted pursuant to subitem (a), the applicant may reapply for certification, not to exceed three times, after the exhaustion of a six-month period of time from the effective date of the refusal or, if judicial review before the Administrative Law Court of the refusal is sought, after six months from the date of a final court order or decree affirming the refusal.

(2) An individual submitting an application pursuant to item (1) of this subsection must comply with all certification requirements set forth this regulation

E. Notice of the director or his designee's probation, withdrawal, or suspension of a certification or refusal to issue a certification must be provided in writing and mailed to the last known address of the certified individual or applicant via US Certified Mail/Return Receipt Requested. The written notice must advise the applicant or certified individual of the reason for the probation, withdrawal, or suspension of the certification or the refusal to issue the certification. The applicant or certified individual may make written demand upon

the Administrative Law Judge within thirty days of the date of receipt of the notice for a hearing before the Administrative Law Court to determine the reasonableness of the director or his designee's action. The hearing must be held pursuant to the Administrative Procedures Act.

Section VII. Effective Date

The regulation will become effective upon final publication in the South Carolina State Register.

HISTORY: State Register Volume 35, Issue No. 5, eff May 27, 2011.

GLOSSARY OF TERMS

Median Household Income:

(as defined by U.S. Census)

Includes the income of the householder and all other individuals in the household whether they are related to the householder or not. The median divides the income distribution into two equal parts: one-half of the cases falling below the median income and one-half above the median. The median income is based on the distribution of the total number of households including those with no income.

Household:

(as defined by U.S. Housing and Urban Development)

All the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers is also counted as a household.

Median Family Income:

(as defined by U.S. Housing and Urban Development)

Estimated by HUD and uses income data from the American Community Survey from the U.S. Census. This is conducted annually. Median Family Income (MFI) is used for the income limits set by HUD for Section 8 housing.

Family Size:

(as defined by U.S. Housing and Urban Development)

Family refers to the Census definition of a family, which is a householder with one or more other persons living in the same household who are related to the householder by birth, marriage, or adoption. For purposes of the SC Safe Home grant, the definition of family does not exclude one-person households.

Current Fair Market Value:

(as defined by S.C. Code of Laws, Section 12-37-3135(A)(2))

The current fair market value of a parcel of real property as reflected on the books of the property tax assessor for the current property tax year.

Hurricane:

(as defined by the National Oceanic and Atmospheric Administration/National Hurricane Center)

A Hurricane is a regionally specific name for a tropical cyclone. A tropical cyclone is the generic term for a non-frontal synoptic scale low-pressure system over tropical or subtropical waters with organized convection (i.e. thunderstorm activity) and definite cyclonic surface wind circulation.

Tropical cyclones with maximum sustained surface winds of less than 17 m/s (34 kt, 39 mph) are usually called "tropical depressions." Once the tropical cyclone reaches winds of at least 17 m/s (34 kt, 39 mph) they are typically called a "tropical storm." If winds reach 33 m/s (64 kt, 74 mph), then they are called Hurricanes in the North Atlantic Ocean, the Northeast Pacific Ocean east of the dateline or the South Pacific Ocean east of 160E. Winds and intensity are measured via the Saffir-Simpson Hurricane Wind Scale. The Scale is a one-five rating based on a hurricane's sustained wind speed. The scales estimate potential property damage.

Wind Inspection Checklist and Report:

A report that serves as the data collection tool for the home inspection. The information recorded in the report provides details outlining the improvements that can be made to a home to increase resistance to hurricane wind damage as they relate to SC Safe Home program guidelines.

